IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 16220 of 2004

Between:

Smt. R. Hemalatha, W/o. R. Sudarshan,

Aged 38 years, occ: Business,
R/o. of H.No. 12-15, Dasnapur Village, Mandal and District,
Adilabad.

..... PETITIONER

AND

The Executive Director, The District S.C. Service Co-op Society Ltd.,
Adilabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ particularly one in the nature of writ of Mandamus to declare the action of the respondent herein in issuing impugned Notice No. Sc/D3/350/1991 dt. 31-8-2004, directing the petitioner to vacate the Shop No. 1 of Shopping Complex, located at Collectrate Chown, Adilagad, even after occupying the same since 14 long year without any prior notice and not giving reasonable opportunity as highly illegal, against the principles of natural justice, equity and fair play and prays to set aside the impugned Notice Sc/D3/350/1991 dt. 31-8-2004, with a direction to continue the petitioner to occupy the Shop No. 1 Shopping Complex, located at Collectrate Chown, Adilabad.

Counsel for the Petitioner: MR.CH.GANESH

Counsel for the Respondent: MR.M.V.S.SURESH KUMAR

The Court made the following :

ORDER:

The only grievance of the petitioner appears to be that while issuing impugned order dated 31-08-2004, directing her to vacate the premises, the respondent has granted three days time, which according to her is not sufficient.

As can be seen from the material on record, the petitioner has not even made any request before the respondent seeking extension of time. In the circumstances, I am of the view that the writ petition, at the instance of the petitioner, who admittedly does not have any legal right to continue in the premises, cannot be entertained and the relief as prayed for cannot be granted.

Accordingly, the writ petition is dismissed. However, this shall not preclude the petitioner to make a request before the respondent to grant extension of time for vacating the premises in question. No costs.

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10-09-2004

vs

To

1. The Executive Director, The District S.C. Service Co-op Society Ltd.,
   Adilabad.

2 Two CD copies.